

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

ROBERT PEREZ

Plaintiff

v.

Civil Action No.: 2:04-0581

JUDGE MIKE KELLY, Judge of
Kanawha County Magistrate Family
Court and LINDA ALLEN, court clerk

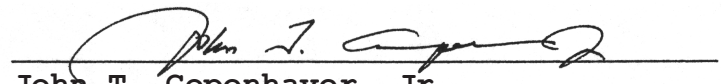
Defendant

JUDGMENT ORDER

In accordance with the memorandum order entered this same day in the above-styled civil action, it is ORDERED and ADJUDGED that the claim of plaintiff, Robert Perez, against the defendants, Judge Mike Kelly, Judge of Kanawha County Magistrate Family Court, and Linda Allen, court clerk, be dismissed without prejudice inasmuch as the court has granted plaintiff's motion to voluntarily withdraw the action.

The Clerk is directed to forward copies of this order to the plaintiff, counsel of record and the United States Magistrate Judge.

DATED: April 28, 2005


John T. Copenhaver, Jr.
United States District Judge